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RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP: (3671)

32692

Customer Number

Patent  
Case No.: 53750US002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: JACOBS, GREGORY F.

Application No.: 10/039654

Group Art Unit: 3671

Filed: December 31, 2001

Examiner: Hartmann, Gary S.

Title: MATRIX ELEMENT MAGNETIC PAVEMENT MARKER AND METHOD OF  
MAKING SAME

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.116

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/>	deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
<input checked="" type="checkbox"/>	transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.
19 Nov. 2004	<i>Amber Nicholson</i>
Date	Signed by: Amber Nicholson

Dear Sir:

This is in response to the outstanding Office Action, dated June 23, 2004, in the above-identified application.

Upon review of the file, it was noted that the initialed Form PTO-1449 filed with the Disclosure Statement dated September 28, 2004 has not been received. It is requested that the Examiner initial the Form PTO-1449, a copy of which is enclosed for the Examiner's convenience, and return it to the undersigned attorney.